REMARKS

This application has been reviewed in light of the Office Action dated October 3, 2006. Newly added Claims 18-28 are presented for examination. Claims 1-17 have been cancelled, without prejudice or disclaimer of subject matter. Claims 18 and 24 are in independent form. Favorable reconsideration is requested.

Claims 1 and 11 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The cancellation of those claims renders the rejections moot.

Claims 1-5, 7-12, and 15-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication 2002/0165931 ("Greer"). Claims 6, 13, and 14 were rejected under 35 U.S.C. § 103(a) as being obvious over Greer in view of U.S. Patent No. 4,984,270 ("LaBounty"). These rejections have been rendered moot by the cancellation of these claims. Applicants will address these cited references with respect to the new claims.

Greer relates to a method and apparatus for rapid and convenient access to product and company information via an Internet connection. *See* Greer, par. [0030]. An end device, *e.g.*, a bar code reader, is used to scan a UPC symbol on a product. The scanned data is appended to appropriate prefix and suffix data and is used to address a website displaying product information. *See* Greer, par. [0033]. For example, when the reader scans a UPC symbol on a product and the UPC symbol encodes the data "0 43100 06622 4", a URL comprising "http://www." prepended to the data and ".com" appended to the data would be formed, *i.e.*, http://www.043100066224.com. *See* Greer, par. [0033]. This address would be used by a browser to access information about the corresponding product. Thus, generally speaking, the method of Greer reads data from a UPC, creates a

URL using the data read from the UPC, and accesses the URL to obtain product information.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Nothing has been found in Greer that would teach or suggest a method for completing a transaction using a Radio Frequency Identification (RFID) transaction device comprising "accessing at least one of a third party and an issuer using the URL; receiving from the at least one of the third party and the issuer, in response to the access using the URL, the user account number to allow completion of the transaction by the POI device; and using the user account number to proceed with completion of the transaction," as recited in Claim 24.

Claim 24 is directed to a method for completing a transaction using an RFID transaction device in which the POI device receives the URL transmitted from the RFID transaction device and accesses the third party or the issuer using the URL. The third party or issuer then transmits the user account number to the POI device. The user account number is used to allow completion of the transaction.

In contrast, the data read from the UPC symbol in Greer is not a URL. As indicated in paragraph [0033] of Greer, the data read from the UPC symbol by the end device must be further processed to form a URL by prepending and appending the data with characters such as "http://www." and ".com". Meanwhile, as mentioned above, the RFID transaction device used in the method of Claim 24 transmits the URL, which is

received by the POI device. Thus it is apparent that the data read from the UPC symbol in Greer and the data transmitted from the RFID transaction device of the present invention are substantially different.

Further, as indicated in Greer, after forming the URL, the end device accesses the URL and displays information related to the product. *See* Greer, Abstract. The method of Claim 24, on the other hand, receives an account number which is used for completion of a transaction.

The Examiner cited Greer, paragraph [0014], as teaching an RFID device "to read a portable RFID device with structure data associated to a URL. This URL is then accessed by a third party responsible for executing a related transaction." *See* Office Action, page 3, line 5-7. Applicants respectfully disagree. That paragraph of Greer indicates that the UCC and EAN International have been investigating alternative data storage media for associating a UCC/EAN structured data set to an item. Provided as an example is the use of magnetically or electrically encoded data that may be accessed by an RFID interrogator. Nothing has been found in that paragraph of Greer (or any other) that would teach or suggest "transmitting at least one Uniform Resource Locator (URL) from an RFID transaction device to a point of interaction (POI) device of a merchant system, the URL being associated with a user account number; transmitting the URL from the POI device to at least one of a third party and an issuer; and receiving from the at least one of the third party and the issuer, in response to the transmission of the URL to the at least one of the third party and the issuer, the user account number to allow completion of the transaction by the POI device", as recited in Claim 24. Therefore, Greer does not teach or suggest each and every element set forth in Claim 24.

Accordingly, it is respectfully submitted that Claim 24 is patentable over Greer.

Independent Claim 18 recites features similar to those discussed above with respect to Claim 24 and therefore is also believed to be patentable over Greer for at least the reasons discussed above.

A review of the other cited reference, *i.e.*, LaBounty, has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the cited reference.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

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